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PREFACE

121 642 THIS book originated in a request from the Government of Burma at the end of 1942 for my views on reconstruction, with particular reference to features of colonial rule in Netherlands India that might suitably be adopted in Burma. One cannot transplant administrative machinery without reference to the environment; in a new environment it may work better or worse, but it certainly will not work in the same way. It was necessary therefore to emphasize the fact that British and Dutch colonial policy are founded on different traditions. Two basic principles of British colonial policy are the rule of law and economic freedom, whereas Dutch colonial policy has aimed at imposing restraints on economic forces by strengthening personal authority and by conserving the influence of custom.

121 642 182 In modern Burma under British rule there were five notorious evils: the failure of western self-governing institutions; the growth of debt and agrarian distress; the multiplication of litigation and crime; the rise of disaffection and unrest among the Buddhist clergy; and widespread corruption in the judicial and administrative services. I suggested that these can all be traced to a common cause: the disintegration of social life through the inadequacy of law to control the working of anti-social economic forces. Although in other respects Dutch rule is open to criticism which does not apply to Burma, yet in all these matters Netherlands India presents a notable contrast. We would not, even if we could, abandon what is valuable in the traditions of British rule, and in any case we cannot break suddenly with old traditions, or escape the consequences of the past. But the contrast indicates that we ought to incorporate in our policy the principle of controlling economic forces in the interest of social welfare. I tried accordingly to show how, by adapting certain devices of Dutch administrative machinery, this principle might be applied to cure the ills of modern Burma, and to lay the basis of a new and constructive policy.

121 While formulating these proposals it occurred to me that the comparison between Burma and Netherlands India might be of somewhat more general interest. In presenting it to a wider public there was,

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691 indicated, education tends to flood the land with lawyers, who foster litigation for their living. The growth of litigation in India has long been deplored. In Burma there was little litigation until rapid economic development began in 1870, and so late as 1886 it could still be said that Burmans were not litigious. That is no longer true. We find the same plague of lawyers in Indo-China and the Philippines, and in Africa litigation has been described as the curse of the country.

674 The law breeds litigation and this, married to poverty by agrarian distress, breeds crime. Here again Burma is exceptional, but it appears that of the four countries in the world with the highest proportionate jail population, three are British dependencies.[1] All this is nothing new. In Burma, as far back as 1883, dacoit bands flourished just outside the capital. So they did in Java in 1830, when the introduction of western law by Raffles created a 'proletariat who go about and steal'. Still earlier in Madras, on the introduction of the rule of law from Bengal at the end of the eighteenth century, 'the same results', says Munro, 'followed here which had occurred elsewhere; justice ceased in great measure to be administered and the increase of crime was appalling'.[2] These words might have been taken from any report on the administration of Burma from the eighties onwards.

696 Under native rule disputes are usually settled by arbitration. Under European rule it is at first only in cases with foreigners that natives come to court. Naturally Europeans best understand their own laws, and the middlemen and moneylenders learn it in the course of business, but the cultivator neither understands the law nor how it works and, as a rule, is least able to afford a skilful advocate. The decision usually goes in favour of the longer purse. Men who lose their case against a wealthier opponent and without understanding that a decision, apparently arbitrary and in their view unjust, may none the less be good law, naturally attribute the result to bribery, and this is the readiest excuse given by their advocate for his failure. Nothing is so favourable to judicial corruption as a belief that it is general. That is a principle which works in Africa as in Asia.[3] It seems, indeed, to be generally true in tropical dependencies that western law encourages litigation, crime and corruption.

182 The substitution of the rule of law for the rule of custom naturally expedites the disintegration of the customary social structure. But it also reacts more directly on the social structure. The former native

[1] Barnes, L., *Skeleton of the Empire* (1937), p. 60.
[2] Gleig, pp. 221–2.
[3] *Colonial Review*, 1944, June, p. 170.

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authorities, who could maintain order in their own way, are unable to apply western principles of rule and must be replaced by Europeans, or by native officials trained on western lines. We have noticed this in Burma, and also as one outcome of the reforms introduced by Raffles in Java. It had already happened still earlier in India. Formerly, under native rule, there were 'large tracts of country, embracing, according to circumstances, ten, twenty, forty or a hundred villages. At the head of each of these was a Zemindar, Poligar, Tehsildar or Amildar who...was to his district in almost every respect what the potail (headman) was to his village.'[1] He was the natural, organic, representative and leader of his people. By the reforms of Cornwallis all power was withdrawn from these local chieftains and made over to the officials of the central government. Under direct rule the whole organic edifice of native polity collapses, and there remains no unit more comprehensive than the village. The introduction of the rule of law is necessary as an instrument in the liberation of economic forces, but it breaks up the country into villages. On this plan the people are easier to govern, as they have no bond of union, but the same process, as we shall notice later, makes them less capable of self-government. The point immediately relevant, however, is that it constitutes the first, or political, stage in the disintegration of society.

The dissolution of the political structure is only the first stage in social dissolution, and it is completed by the second, or economic, stage, breaking up the village into individuals. In this process two factors are operative: economic forces are released; and the checks controlling their action are relaxed. Where, under native rule, an agricultural economy obtains, and the village has replaced the tribe, the village still retains tribal features and resembles a large family in which, by gradual evolution through long ages, economic relations are adjusted by the growth of custom to the common social welfare. The village conducts its affairs in its own way, and the headman derives his authority from the people. But under the rule of law he becomes a servant of the law, an instrument of government, occupying the same position as before, but hanging from above instead of standing on his own feet. The village survives, but from an organic social unit it is transformed into an administrative unit. In Burma the richest man, as the largest taxpayer, was appointed village headman, but the so-called 'largest taxpayer' soon became 'the village drudge'.

[1] Gleig, p. 217.

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182 Similarly in Africa, leadership passes from the hereditary authorities to men with more money or better education.[1] In such circumstances there remains no embodiment of social will or representative of public welfare to control the economic forces which the impact of the West releases.

So long as communal feeling survives, no one thinks of encroaching on land set apart for village amenities, and villagers cultivating for subsistence have little motive to extend their holdings; if, however, anyone should encroach on public land, he will be turned out by the headman with the support of public opinion. But men who cultivate for the market want more land in order to make more money; the headman and public opinion are no longer able to prevent them; the law, without the support of custom, is ineffective to prevent encroachments, and may even sanction or encourage them because they produce more crops for sale. If anyone encroaches it is easier and more profitable for others to follow his example, and before long the village common land is taken up for private cultivation. The village may produce more than before, but at the expense of social welfare. Not infrequently the total produce of the village is reduced. If a man encroaches on the catchment area left waste for the irrigation of crops depending on it, his gain is at the cost of those who lose their water. Or again, one or two members of a common irrigation system may take to cultivating some new crop that gives them larger profit but disturbs the equitable distribution of the water. In these, and many other ways, the economic motive, the desire of individual gain, reduces the total output of the village, and social will, public opinion embodied in the headman, is no longer able to control it in the public interest. The produce available for export rises, and this is taken as an index of prosperity, but social welfare deteriorates.

Even when there is no decline in material welfare, the village is deprived of these social amenities that money cannot buy. The village community is transformed into a crowd, and social recreations and pastimes disappear with social life. That is the natural sequence of the liberation of economic forces from the control of village custom. In the rice lands of Lower Burma, where the process has been carried to a logical conclusion, the village is no longer a family but a factory. In Indo-China we are told that nothing remains between the Government and twenty-three million individuals. In Africa 'atomization' is a well-known symptom of social disease. So far as economic forces

[1] Read, M., p. 21; Wilson, p. 7.

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are allowed free play, the disintegration of society is an inevitable sequel. They work, subject to economic friction, towards giving the maximum net produce of commodities for the market, but most of the profit goes to those engaged in commerce and, even if a few cultivators make more money, they are poorer for the loss of things that are bought without money and without price.

It is not merely village life but the whole of native social life that is deprived of its amenities. In every society successive generations make their contributions to the art of living, and the most congenial survive to enrich the social heritage that builds up its distinctive civilization. The process of civilization may be regarded from the economic standpoint as the gradual evolution of the social demand for better living, and it is through the leaders of the people that this demand acts most effectively. Foreign rule inevitably undermines native social values, for common standards disappear and a foreign Governor can never wield the power behind a throne. In Burma, the King, merely as a Buddhist sovereign, was the Defender of the Faith and the lynchpin of the Buddhist hierarchy; he was the natural patron of religion, learning and the arts. The most learned monks, the most successful doctors, and the most skilful artists and craftsmen looked to the Crown for recognition. Now the monastic order has collapsed, the native practitioners of medicine have degenerated, and the artistic genius of the craftsmen is confused by the flood of cheap foreign manufactures.[1] In all such matters Europeans have their own standards, and so also have other immigrants such as foreign orientals, Indian or Chinese. Contact with the outer world should furnish new sources of inspiration and enrich native social life, art and religion. But the people are not brought into contact with the outer world except in the sphere of economics; they remain imprisoned in a dying civilization and their social life is impoverished and not enriched.

In another way also foreign rule is detrimental to native social life, for by the normal working of the process of the survival of the cheapest, economic forces act, directly, rapidly and effectively to eliminate all non-economic values. In Burma, for example, during the past half-century, the native cargo boat, modelled on the graceful lines of the medieval galleon, with decorative figurehead and an elaborately carved and ornamental castle in the stern, a joy to build, to sail and to behold, has disappeared. It has been

[1] See also *African Survey*, p. 1290,

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182 replaced by squat hulks that have no advantage except as cheaper means of transport. Merely for carrying paddy the modern barges are the more commodious, but they add nothing to the beauty of the river scene or to the delight of the builders and the boatmen in their work, and on any reckoning that includes such items they are worse than useless. Everywhere throughout the tropics, apart from the buildings that advertise imperial power or mercantile prosperity, the process of natural selection by the survival of the cheapest operates to strip life of its amenities and reduce it to a struggle for bare subsistence.

Not only does this process impoverish the social life of the people, it imposes restrictions on their economic activities. For another aspect of the same process is the specialization of function by the division of labour. This was favoured by Adam Smith and his disciples as a corner-stone of the wealth of nations. Liberal economists in England could rightly insist on this principle because they could take the stability of social life for granted, but in a tropical dependency this basic assumption is invalid. The development of a tropical dependency as a market for imported goods leads to the elimination of local manufactures and a corresponding contraction in the range of economic activities and of social interest in the native community. We shall return to this point later; here it requires notice as illustrating how the horizon of the native world is narrowed not only by the elimination of non-economic values, but by restrictions on the content of their economic life.

Development by Western Enterprise. If we turn now to examine the alternative method of development through western enterprise, we find that along different lines it arrives at similar results. The great distinction between development by native and by western enterprise is that, as already noticed, with the former, economic forces dissolve native society by direct action from within, whereas with the latter, though gradually permeating native society, they attack it in the first instance from without.

182 466 The primary requirement of western enterprise in the tropics is cheap labour. This can be obtained most easily through native chieftains and accordingly, except where large tracts are set aside for European settlement, indirect rule tends to prevail. Netherlands India provides the classic illustration of tropical development by western enterprise. In Java at the beginning of the nineteenth century the people were unaccustomed to work for wages and, even if they

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could have been induced to do so, the Netherlands produced nothing that they would buy. 'All wise men' were agreed that the native would not respond to the desire of gain, and that he would work only under compulsion.[1] People were none the less sincere in this belief, because it suited them to believe it. Under the Culture system the Dutch used the authority of the native chieftains to obtain labour both for public works and for export crops for the Government. Subsequently under Liberal rule compulsory labour was still used for public works (despite the protests of Liberals who wanted more labour for private enterprise), and the planters employed the native chieftains as agents for recruiting labour. But paid labour was found more efficient than compulsory labour whether on public works or private enterprise, and the people became accustomed to working for wages. In Africa development by private capitalist enterprise has followed similar lines. 'The introduction of capitalist undertakings in Africa found a population that had little incentive to improve its subsistence by wage-earning, and, since it was inexperienced in the use of money it was slow to react to the stimulus of cash inducements.'[2] Moreover, there was 'a popular belief that the "collectivist" organization of African society implied the absence of those individual ambitions in the material sphere which are the mainspring of European development'. Custom supported the use of unpaid labour for the common purposes of the tribe, and this furnished a precedent for using compulsory labour on public works 'such as the construction of railways or major roads for long distance transport which were outside the range of even an extended definition of communal labour, more especially since they at times involved the absence of labour from their homes for considerable periods'. Here there is a significant contrast with Burma, where the object of policy was trade, and therefore of development by native enterprise; compulsory labour interfered with native enterprise and was soon abolished. But in Africa, although 'the wide use of impressed labour for railway construction... led to many incidents which reflected grave discredit on the administration',[3] it did not wholly cease until railway construction came to an end with the depression of the thirties. Again, in Africa as in Java, the people were accustomed under native rule to render tribute in kind or service to the local chieftains. This interferes with the supply of labour to private enterprise, and in Java measures to restrict it were among the

[1] *Netherlands India*, p. 59.
[2] *African Survey*, pp. 604, 694.
[3] *Ib.* pp. 613, 615.

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earliest fruits of Liberal reforms. In Tanganyika such tribute was commuted for a tax in money in 1926.[1]

Employers, while sympathizing with humanitarian protests against compulsion to obtain labour for Government or native chieftains, are not averse from measures which provide labour for private enterprise. In Africa, as in Java, 'if there is now little use of direct pressure by government in order to secure labour for private employment, this was a marked feature of policy in the past.... A complete history of this aspect of labour development would comprise the use of means so various as slavery, direct statutory compulsion, the curtailment of native lands, assistance given by administrative officials to the efforts of private recruiters, and the use of chiefs to recruit their people as labourers.' Now in Africa, as long ago in Java, it is 'generally recognized that, apart from any grounds of equity or humanity, labour done under compulsion is uneconomic';[2] yet the use of compulsory labour appears to save trouble and money, and employers are reluctant to abandon it. With compulsory labour wages tend towards the minimum of bare subsistence for a man without a family. The conditions are worst where no single employer stands to gain by healthy labour, and the death roll in the coolie barracks of Rangoon is typical of the impoverishment which naturally results from the exposure of unskilled labour to the unmitigated action of economic forces.

Even where action is taken to protect the individual labourer, the mass recruitment of unskilled labour, especially if recruited through local chieftains, naturally disintegrates native social life. 'The most characteristic results which have followed from the introduction of capitalist enterprise (are) the depopulation of certain areas or the deterioration of local subsistence conditions owing to the migration of labour, the social evils due to the removal from their families of large numbers of adult males, and the difficult situations created by the aggregation of industrial population divorced from the traditional controls of tribal life.'[3] At the same time the use of native chieftains to provide land for concessions and labour to work the concessions conflicts with native custom, and weakens the authority of the chieftains as it makes them look for support to Government instead of standing on their own feet. Then, in a later stage, when an ample supply of labour is assured and the awakening of the desire of gain

[1] *African Survey*, p. 437.
[2] *Ib.* pp. 628, 635, 636.
[3] *Ib.* p. 699.

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allows the replacement of compulsion by wages, the effect on native society and welfare is much the same as when development proceeds by private enterprise.

General Course of Development. Thus, whether the method of development be through native enterprise working for the market, or through western enterprise employing native labour, 'the disintegration of social life is an almost inevitable result of the contact of primitive peoples with European civilization'. In either case the liberation of economic forces from the moral restraint imposed by social obligations is detrimental to social and individual welfare. During the first stage there may be, and usually is, a rise in the standard of individual welfare through the removal of the abuses normally inherent in native social life. For a still longer period there is an increase in production, by the exploitation of social welfare for material ends. But, as such forces gain in strength, they tend to restrict and even to reduce production, and thus defeat the hopes of gain which set them working. Forests are laid waste and valuable lodes of ore are buried beneath surface workings. Cultivation, as in the delta of Lower Burma, aims at the maximum net outturn by the smallest number necessary to produce it, instead of at the maximum gross outturn by the largest number that the land will maintain at the customary level of social life. Human resources are wasted by under-employment or by unemployment and, as in the Congo under Leopold, so many people may be killed off that capitalist enterprise is no longer profitable or even possible.[1] Both the two great East India companies went bankrupt, and the modern chartered companies had to surrender their concessions because they could no longer pay their way. Profit, progress and welfare, are all linked together on a single chain, and economic forces, unless controlled by social will, corrode the chain that links them. Man is a social animal, but economic forces tend to convert human society into a business concern. In tropical dependencies the outward and visible sign of this is the evolution of a plural society.

4. The Plural Society[2]

All tropical dependencies, and indeed all tropical countries, so far as they have been brought within the modern world, have in common certain distinctive characters in their social structure. In Dutch

[1] Frankel, pp. 36, 37.

[2] Furnivall, *Economic Journal*, 1910, pp. 23 ff; *JRCAS*, 1942, p. 195.

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[438] One reason for this is economic advantage. The coming of rubber, in particular, has given to the Malay peasant of the west coast an income considerably higher, on the whole, than that of the east coast peasant.

The effects of Westernization are profound. But they do not lie in crude physical displacement of the peasant or degradation of his living conditions. They lie in the widening of the gap between his expanding range of wants and his level of productivity, and in his inability to measure and in any way control the economic forces operating in his field. Westernization has meant for the peasant an enlargement of the social horizon—more knowledge, through better communications and education, of other places, of other peoples of kindred and dissimilar interests. It has created new ambitions: for different clothing, for new uses of leisure, for a better status for his children, for a position of power in the political scene. All this has disturbed the traditional patterns of peasant society. These patterns, and the class structure of South East Asian society of which they were a part, were probably never too satisfactory to the peasant. Anxiety and evasion must have often been the response to either too rigid or too elastic a rule—and the peasant seems often to have suffered from the exactions of his superior in the social scale. But the scope of the system was known, if not its precise implications. Nowadays the scope of the system has for the most part passed beyond the peasant's grasp, and much of it has become de-personalized.

To illustrate this by giving a more concrete analysis of some of the values in the peasant's life, let me take the area of Malaya and Indonesia where Islam is the major religion of the people.

In his daily life the Indonesian or Malay peasant is governed largely by the canons of behaviour, the ties of friendship and neighbourliness, the relations of work and social intercourse of his village community. So much is this so that in Java the *desa*, the village, was crystallized by the Dutch into an administrative and developmental unit, and its communal structure strengthened for welfare purposes. But as important as the village, and indeed often basic to its structure, are the family and larger kin organizations. From these a person gets his social status and much of his land and other property, and they have the primary role in his marriage and other crucial events in his progress through life.

Such domestic and local relationships also provide a framework for the peasant in his attempts to come to terms with the forces of nature and human destiny. His world of spirits is a local world. In Indonesia the ancestors do not play the predominant role which they do, for instance, in Annam. But the village, the seashore, the surrounding jungle, wells, trees, and stones are the home of many kinds of spirits, which afflict man with sickness or misfortune, or stand by him as his familiars to guard him. Basic in the religion of the Indonesian peasant is this local, essentially parochial, spirit element. All these values guide his economic and social conduct, and mean a great deal to him.

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But the situation is complex, even in village life. The system of rules governing domestic and local relations—marriage, adoption, inheritance, rights over land, succession to local office, rules of etiquette, and behaviour to superiors—is generally known as the *adat*, the custom. The nature of this custom, and what should be its relation to a more fully developed legal system, have been elaborately studied by the Dutch in Indonesia. At times indeed they have seemed to give the *adat* almost a mystical connotation. Alongside this body of custom, which of course varies from one peasant area to another, is the *shari'a*, the religious rule of Islam. On the one hand this is a unifying force, extra-village and extra-national in character, linking even the remotest mountain farmer spiritually or emotionally with the farmer or townsman of other Muslim communities in South East Asia, and far beyond. On the other hand, the Muslim religious law blends into the field of the *adat*, laying down rules about marriage, inheritance, and other family matters. Then there are the Western rules of law and administrative procedure, laying down just how land is to be acquired, held, and transferred, giving regulations for village management, and imposing penalties for certain kinds of breach of good relations. Yet the Western system offers also inducement to use the law, to protect one's interests firmly, to take advantage of situations where the *adat* has left rights undefined. So three factors—the custom, the Muslim religious rule, and the Western system of law—interact even in the heart of peasant society.

The result is a complex set of forces in dynamic operation, with the peasant being pressed by one or other of them or championing one or other as circumstances arise. In Negri Sembilan, for instance, there has come to be what is almost now a classic case of this interaction. In former times the valuable lands were for the most part those on which 'wet rice' could be cultivated. By the matrilineal system ancestrally operative in that area, these lands were handed down in the female line, from mother to daughter, or from aunt to niece. They were also cultivated largely by women. As rubber came to be developed, however, other lands on the hill-sides, previously of much less value, came to have worth too. For the most part these had to be cleared before being planted in rubber, and this clearing was a task that only men could do properly. Hence men came to have a more direct interest in this land. When questions of inheritance began to arise, divergent views became manifest. Some argued for treating new lands like the old, and handing them down in the female line like the rice lands. Yet there was a strong case for not including these rubber lands in the category of ancestral land, but for letting them be transmitted from a father to his children and through the male line in general. This principle of male inheritance is in line with the emphasis of the Muslim law. This not only gives guidance of the patrilineal kind for distribution of the property of the deceased in cases of dispute, but in all its provisions tends to stress the status of the male against that of the female.

Within the peasant society itself the potential clash of the two systems,

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181 local custom and religious rule, had been present for centuries. But there
177 was little in the economic situation to sharpen it, and the Muslim leaders
565 themselves were often so steeped in the local ways that they allowed as the
602 religious law what was, in fact, the local custom. With the growth of
796 Western processes, the perception of new economic advantages tended to
779 change the equilibrium of the two principles. The advance of education
671 and heightened consciousness of Islam as a world faith also tended to make
182 the religious leaders themselves much more keenly aware of any divergence. Wealthy men who want to leave property to their sons, men with a strong religious sense, men who regard themselves as progressive, or who are in revolt against their clan leaders, therefore tend to be protagonists of the Muslim law. The conservatives, those who see in the custom a defence for women, those who see in it a symbol of an essentially Malay way of life, argue for the retention of the custom. Contact with the West, they say, is changing the structure of the peasant society enough already. The issue has also entered the modern political scene, since the search for factors to increase Malay integration tends to stress the national and extra-national character of Islam at the expense of the more local qualities of the *adat*. Here too it is growing Westernization which has sharpened the issue.

184 In a general discussion such as this, one may be allowed to refer to the
565 peasantry of South East Asia as a body. But they are not uniform in ethnic composition, in national interests, in language, in religion, or in general culture. Moreover, within any local community, there are competing, even conflicting, interests and opinions. The peasant may be unable to face up to the general issues which affect his life so deeply, but in so far as he understands his own interests he is very alive to them and capable of exercising keen judgement in them. It is the small scale of his organization for the most part which renders him so vulnerable.

000 What is likely to be the future of South East Asia from the peasant angle? Prediction is not worth much, since so many elements in the situation are imperfectly known, but there are a few which seem to be significant.

565 The peasant has no native middle class, of the same society as himself,
185 to give a lead to his development and stability in any wider economic
656 organizations that may be set up for his benefit. To improve his economic lot, and in particular to give him a larger fraction of his product through control of marketing, co-operative societies have often been proposed and sometimes tried. Their success has been only limited, partly because the peasant has not been fully persuaded of their attractions as against what the alien middleman can offer, and partly because of the difficulty of securing adequate technical supervision and administration at a sufficiently low official level. Much is now apt to be made of the colonial or semi-colonial status of the South East Asian peasant as a drag upon his development. There is no doubt that colonialism, as a specific form of political control of under-developed territories by a metropolitan Power, is